

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

PRESERVATION TECHNOLOGIES LLC,

Plaintiff,

v.

WGCZ LIMITED., S.R.O., WGCZ
HOLDING, A.S., WEBGROUP CZECH
REPUBLIC, A.S., NKL ASSOCIATES,
S.R.O., WEBPROCESSING S.R.O., and
BRIDGEMAZE PARTNERS, S.R.O.,

Defendants.

C. A. No. 6:22-cv-00025-ADA

JURY TRIAL DEMANDED

JOINT MOTION FOR ENTRY OF SCHEDULING ORDER

Pursuant to the Court's Standing Order (Dkt. 10 at 2), Plaintiff Preservation Technologies LLC and Defendants WGCZ Limited, s.r.o., WGCZ Holding, a.s., WebGroup Czech Republic, a.s., NKL Associates s.r.o., Webprocessing s.r.o., and Bridgemaze Partners, s.r.o. jointly move for entry of the Scheduling Order attached hereto as Exhibit A.

DATED: August 15, 2022

/s/ Andrew G. DiNovo

Andrew G. DiNovo
Nicole E. Glauser
Michael French
DiNovo Price LLP
7000 North MoPac Expressway, Suite 350
Austin, Texas 78731
Telephone: (512) 539-2626
Facsimile: (512) 539-2627
adinovo@dinovoprice.com
nglauser@dinovoprice.com

*Attorneys for Plaintiff
Preservation Technologies LLC*

/s/ Michael T. Zeller

Michael T. Zeller (*pro hac vice*)
Tigran Guledjian (*pro hac vice*)
Julia Choe (*pro hac vice*)
Scott A. Florance (*pro hac vice*)
Quinn Emanuel Urquhart & Sullivan, LLP
865 S. Figueroa Street, 10th Floor
Los Angeles, California 90017
Telephone: (213) 443-3000
Facsimile: (213) 443-3100
michaelzeller@quinnemanuel.com
tigranguledjian@quinnemanuel.com
juliachoe@quinnemanuel.com
scottflorance@quinnemanuel.com

Sean Damon (*pro hac vice*)
Quinn Emanuel Urquhart & Sullivan, LLP
1300 I Street NW, Suite 900
Washington, D.C. 20005
Telephone: (202) 538-8000
Facsimile: (202) 538-8100
seandamon@quinnemanuel.com

Evan Pearson
Quinn Emanuel Urquhart & Sullivan, LLP
300 West Sixth Street, Suite 2010
Austin, Texas 78701
Telephone: (737) 667-6100
Facsimile: (737) 667-6110
evanpearson@quinnemanuel.com

*Attorneys for Defendants
WGCZ Limited, s.r.o., WGCZ Holding, a.s.,
WebGroup Czech Republic, a.s., NKL Associates
s.r.o., Webprocessing s.r.o., and Bridgemaze
Partners, s.r.o.*

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

PRESERVATION TECHNOLOGIES LLC,

Plaintiff,

v.

WGCZ LIMITED., S.R.O., WGCZ
HOLDING, A.S., WEBGROUP CZECH
REPUBLIC, A.S., NKL ASSOCIATES,
S.R.O., WEBPROCESSING S.R.O., and
BRIDGEMAZE PARTNERS, S.R.O.,

Defendants.

C. A. No. 6:22-cv-00025-ADA

JURY TRIAL DEMANDED

SCHEDULING ORDER

Deadline	Item
August 29, 2022	Plaintiff serves preliminary ¹ infringement contentions in the form of a chart setting forth where in the accused product(s) each element of the asserted claim(s) are found. Plaintiff shall also identify the earliest priority date (i.e. the earliest date of invention) for each asserted claim and produce: (1) all documents evidencing conception and reduction to practice for each claimed invention, and (2) a copy of the file history for each patent in suit.
September 6, 2022	Defendants' Responsive Pleading to the Amended Complaint.
November 15, 2022	Venue and Jurisdictional discovery closed.
November 21, 2022	Defendants serve preliminary invalidity contentions in the form of (1) a chart setting forth where in the prior art references each element of the asserted claim(s) are found, (2) an identification of any limitations the Defendants contend are indefinite or lack

¹ The parties may amend preliminary infringement contentions and preliminary invalidity contentions without leave of court so long as counsel certifies that it undertook reasonable efforts to prepare its preliminary contentions and the amendment is based on material identified after those preliminary contentions were served and should do so seasonably upon identifying any such material. Any amendment to add patent claims requires leave of court so that the Court can address any scheduling issues.

Deadline	Item
	written description under section 112, and (3) an identification of any claims the Defendants contend are directed to ineligible subject matter under section 101. Defendants shall also produce (1) all prior art referenced in the invalidity contentions, and (2) technical documents, including software where applicable, sufficient to show the operation of the accused product(s).
December 2, 2022	Plaintiff's Opposition to Defendants' Responsive Pleading to the Amended Complaint.
December 12, 2022	Parties exchange claim terms for construction.
December 16, 2022	Defendants' Reply to Responsive Pleading to the Amended Complaint.
January 9, 2023	Parties exchange proposed claim constructions.
January 16, 2023	Parties disclose extrinsic evidence. The parties shall disclose any extrinsic evidence, including the identity of any expert witness they may rely upon with respect to claim construction or indefiniteness. With respect to any expert identified, the parties shall identify the scope of the topics for the witness's expected testimony ² . With respect to items of extrinsic evidence, the parties shall identify each such item by production number or produce a copy of any such item if not previously produced.
January 23, 2023	Deadline to meet and confer to narrow terms in dispute and exchange revised list of terms/constructions.
January 30, 2023	Defendants file Opening claim construction brief, including any arguments that any claim terms are indefinite.
February 20, 2023	Plaintiff files Responsive claim construction brief.
March 6, 2023	Defendants file Reply claim construction brief.
March 6, 2023	Parties to jointly email the law clerks to confirm their Markman date and to notify if any venue or jurisdictional motions remain unripe for resolution.
March 20, 2023	Plaintiff files Sur-Reply Claim Construction Brief.
March 23, 2023	Parties submit Joint Claim Construction Statement and email the law clerks an editable copy.
March 24, 2023	Parties submit optional technical tutorials to the Court and technical advisor (if appointed).

² Any party may utilize a rebuttal expert in response to a brief where expert testimony is relied upon by the other party.

Deadline	Item
April 3, 2023	<i>Markman</i> Hearing at 9:00 a.m. This date is a placeholder and the Court may adjust this date as the <i>Markman</i> hearing approaches.
April 4, 2023	Fact Discovery opens; deadline to serve Initial Disclosures per Rule 26(a).
May 15, 2023	Deadline to add parties.
May 29, 2023	Deadline to serve Final Infringement and Invalidity Contentions. After this date, leave of Court is required for any amendment to infringement or invalidity contentions. This deadline does not relieve the parties of their obligation to seasonably amend if new information is identified after initial contentions.
July 24, 2023	Deadline to amend pleadings. A motion is not required unless the amendment adds patents or patent claims. (Note: This includes amendments in response to a 12(c) motion.).
October 2, 2023	Deadline for the first of two meet and confers to discuss significantly narrowing the number of claims asserted and prior art references at issue. Unless the parties agree to the narrowing, they are ordered to contact the Court's law clerk to arrange a teleconference with the Court to resolve the disputed issues.
October 30, 2023	Close of fact discovery.
November 6, 2023	Opening Expert Reports.
December 4, 2023	Rebuttal Expert Reports.
December 25, 2023	Close of Expert Discovery.
January 1, 2024	Deadline for the second of two meet and confers to discuss narrowing the number of claims asserted and prior art references at issue to triable limits. If it helps the parties determine these limits, the parties are encouraged to contact the Court's law clerk for an estimate of the amount of trial time anticipated per side. The parties shall file a Joint Report within 5 business days regarding the results of the meet and confer.
January 8, 2024	Dispositive motion deadline and <i>Daubert</i> motion deadline.
January 15, 2024	Parties email Court to confirm pretrial conference and trial date.
January 22, 2024	Serve Pretrial Disclosures (jury instructions, exhibits lists, witness lists, discovery and deposition designations).
February 5, 2024	Serve objections to pretrial disclosures/rebuttal disclosures
February 12, 2024	Serve objections to rebuttal disclosures; file Motions in limine.

Deadline	Item
February 19, 2024	File Joint Pretrial Order and Pretrial Submissions (jury instructions, exhibits lists, witness lists, discovery and deposition designations); file oppositions to motions in limine.
February 26, 2024	File Notice of Request for Daily Transcript or Real Time Reporting. If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and email the Court Reporter, Kristie Davis at kmdaviscsr@yahoo.com. Deadline to meet and confer regarding remaining objections and disputes on motions in limine.
March 6, 2024	File joint notice identifying remaining objections to pretrial disclosures and disputes on motions in limine.
March 11, 2024	Final Pretrial Conference. Held in person unless otherwise requested.
April 1, 2024	Jury selection/trial.

SIGNED this _____ day of _____, 2022.

ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE